

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

CONSTELLATION IP, LLC

v.

THE ALLSTATE CORPORATION, et al.

No. 5-07-cv-00132-LED

JURY

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

The Plaintiff Constellation IP, LLC (“Constellation”) and Defendants Fidelity Brokerage Services LLC, National Financial Services LLC, and FMR LLC (collectively “Fidelity”), pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing this action with regard to the claims of Constellation, in their entirety subject to the terms of the Settlement Agreement between Constellation and Fidelity **WITH PREJUDICE**, with each party to bear its own costs, expenses and attorneys’ fees.

Dated: December 26, 2007

Respectfully submitted,

**FIDELITY BROKERAGE SERVICES
LLC, NATIONAL FINANCIAL
SERVICES LLC, and FMR LLC**

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CERTIFICATE OF SERVICE

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served today with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

Dated: December 26, 2007

/s/ John J. Edmonds

John J. Edmonds